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September 22, 2021

VIA ECF

Hon. Lewis A. Kaplan
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St., Courtroom 21B
New York, NY 10007-1312

Re: *Espinal v. DiDi Global Inc., et al.*, No. 1:21-cv-5807 (LAK)
Letter Motion to Reopen

Dear Judge Kaplan:

I represent Lead Plaintiff Movant Alaka Holdings Ltd. (“Alaka”) in the above-referenced matter. I submit this letter motion on Alaka’s behalf to request that the Court reopen Alaka’s Motion for Consolidation of Related Actions, Appointment as Lead Plaintiff, and Approval of Lead Counsel (Dkt. No. 16, the “Lead Plaintiff Motion”), and vacate the Court’s September 22, 2021 Order (Dkt. No. 54) terminating Alaka’s Lead Plaintiff Motion. Alaka seeks to have its Lead Plaintiff Motion considered along with the competing motions.

On September 7, 2021, Alaka timely filed its Lead Plaintiff Motion, supporting memorandum of law, and supporting declaration (Dkt. Nos. 16, 17, 18). Multiple other movants filed similar lead plaintiff motions on the same day, including Junhong Cao (“Cao,” Dkt. No. 11), and Alireza Saifi (“Saifi,” Dkt. No. 27).

The deadline to file opposition memoranda to the competing lead plaintiff motions was September 21, 2021. On that day, Alaka filed a notice informing the Court that “Alaka does not oppose Cao’s lead plaintiff motion” on the basis that it appears Cao has the largest financial interest in the relief sought by the class. *See* Dkt. No. 52 at 3. However, Alaka maintains that “[i]f the Court . . . determines Cao is incapable or inadequate to represent the class in this litigation, Alaka should be appointed as lead plaintiff because Alaka has the second largest financial interest among movants and it satisfies Rule 23” of the Federal Rules of Civil Procedure. *Id.* at 4. Accordingly, Alaka still seeks appointment as lead plaintiff only in the event that the Court eliminates Cao from consideration.

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On the same day, September 21, 2021, Saifi filed an opposition to Cao’s and Alaka’s lead plaintiff motions. *See* Dkt. No. 50. To respond to Saifi’s opposition, Alaka intends to submit a reply memorandum on September 28, 2021 (the response deadline) maintaining that Alaka should be appointed as lead plaintiff if Cao is eliminated from consideration, in order to provide the Court with briefing that counters Saifi’s attacks on Alaka.

Despite the fact that Alaka’s notice of non-opposition stated that Alaka would still seek appointment in the event that Cao were to be eliminated from consideration, on September 22, 2021, the Court entered an Order, *inter alia*, terminating Alaka’s Lead Plaintiff Motion. *See* Dkt. No. 54 (the “Termination Order”).

For the reasons provided above, Alaka respectfully requests that the Court reopen Alaka’s Lead Plaintiff Motion, vacate the portion of the Termination Order terminating Alaka’s Lead Plaintiff Motion, and thereby reinstate Alaka’s Lead Plaintiff Motion.

Sincerely,

s/ Gregory B. Linkh

Gregory B. Linkh

cc: All counsel of record.